

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY PARIS IMMEDIATE

UNCLAS STATE 157761

E.O. 11652: N/A

TAGS: P/LOS

SUBJECT: LETTER FOR DELIVERY TO GUY LADREIT DE LACHARRIERE

1. ON JUNE 12 LETTER TO GUY LADREIT DE LACHARRIERE,
FRENCH MINISTRY OF FOREIGN AFFAIRS, WAS POUCHED TO YOU FOR
DELIVERY. FOLLOWING IS A SECOND ENCLOSURE TO BE DELIVERED
WITH LETTER.

2. BEGIN TEXT.

-- SEABEDS WORK REMAINING TO BE DONE

-- MAJOR ISSUES:

-- (1) THE COUNCIL - COMPOSITION AND VOTING - ARTICLE 159.

-- (2) ANNEX II - SYSTEM OF EXPLOITATION, INCLUDING THE
BANKING SYSTEM - PARAS. 2, 3, 4 AND 5.

-- (3) APPLICABILITY TO THE ENTERPRISE OF PART OR ALL OF
ANNEX II OR OF COMPARABLE OBLIGATIONS - PARA. 6.

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-- (4) ADDITION OF SAFEGUARDS FOR THOSE WHO NEGOTIATE JOINT
VENTURES WITH THE ENTERPRISE - EITHER ANNEX II OR ANNEX
III.

-- (5) FINANCIAL TERMS OF CONTRACTS - AMOUNTS - PERCENT-
AGES AND ELIMINATION OR REDUCTION OF ANNUAL CHARGE TO
MINE - ANNEX II, PARA. 7.

-- (6) DISPUTE SETTLEMENT - SEC. 6 OR PART XV AND ANNEX VI, PARAS. 15 AND 37-41, PLACE MORE EMPHASIS ON ARBITRATION AND CREATE A COMMERCIAL ARBITRATION OPTION FOR CONTRACTUAL AND TECHNOLOGY TRANSFER DISPUTES.

-- (7) REVIEW CONFERENCE - ART. 153 (6) - THE MORATORIUM PROBLEM.

-- OTHER ISSUES:

-- (1) DISTRIBUTION OF BENEFITS - ART. 140 - EITHER LIMIT TO STATES PARTIES OR MAKE CLEAR THAT AN EXTERNAL DISTRIBUTION SYSTEM WILL BE USED.

-- (2) CHANGE THE TITLE OF SEC. 3 TO "CONDUCT IN THE AREA."

-- (3) MAKE SOME DRAFTING CLARIFICATIONS IN ART. 143 ON SCIENTIFIC RESEARCH.

-- (4) ART. 150 BIS - CHANGE "INTERESTED PARTIES" TO "MAJOR PRODUCERS AND CONSUMERS" AND DELETE THE SENTENCE THAT SAYS THE AUTHORITY REPRESENTS ALL PRODUCTION FROM THE AREA. ALSO CLARIFY FUNDING OF COMPENSATION SYSTEM.

-- (5) DECIDE THE SITE OF THE AUTHORITY - ART. 154.
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-- (6) IF POSSIBLE, RESTORE THE RECALL PROVISION ON ASSEMBLY VOTING - ART. 157.

-- (7) CHANGE METHOD OF SELECTION OF THE MEMBERS OF THE SEABED DISPUTES CHAMBER - ART. 158.

-- (8) GIVE THE COUNCIL FUNCTIONS CONCERNING COMMODITY AGREEMENTS - ART. 160.

-- (9) DELETE "BRAZIL CLAUSE" ON TECHNOLOGY TRANSFER AND PARA. 5D (III) OF ANNEX II ON TIMING OF NEGOTIATIONS.

-- (10) DECIDE WHETHER PARTS OR ALL OF THE ANNEXES COULD BE MADE SIMPLY THE FIRST REGULATIONS OF THE AUTHORITY, SUBJECT TO LATER REVISION BY THE COUNCIL.

-- (11) CLARIFY AND LIMIT THE PRIVILEGES AND IMMUNITIES OF THE ENTERPRISE - ANNEX III. VANCE

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